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PROSKAUER ROSE LLP
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JUN 20 2008

OFFICE OF PETITIONS

In re Application of	:	
Shields, et al.	:	ON PETITION
Application No.: 09/779,114	:	
Filed: February 8, 2001	:	
Attorney Docket No.: 74622-040	:	

This is a decision on the petition filed, March 31, 2008, requesting reconsideration of a decision mailed March 5, 2007, which refused to accord 37 CFR 1.47(a) status to the above-identified application. In addition, the decision will address the petition under 37 CFR 1.137(b), filed on March 31, 2008.

The petition under 37 CFR 1.47(a) is **GRANTED**.

The petition under 37 CFR 1.137(b) is **GRANTED**.

Petitioners have shown that the non-signing inventors, Robert H. Maurer and Michael Cranor, have constructively refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Petitioners have submitted a second Rule 47 petition fee. This \$200.00 fee is not required and will be refunded to deposit account no. 16-2500.

The above-identified application became abandoned for failure to timely submit a reply within two (2) months of the mailing of the March 5, 2007 decision on petition. No response being received and no extensions of time being obtained under the provisions of 37 CFR 1.136(a), this


application became abandoned on May 6, 2007. The filing of the present petition precedes the mailing of a Notice of Abandonment.

Applicants have submitted a proper reply to the March 5, 2007 decision on petition, an acceptable statement of the unintentional nature of the delay in responding to the March 5, 2007 decision on petition, and the \$1,540.00 petition fee.

All of the requirements under 37 CFR 1.137(b) being met, the petition under 37 CFR 1.137(b) is granted.

This application is being referred to Technology Center AU 3693 for consideration of the amendment filed on March 31, 2008.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS

In re Application of
Shields, et al.
Application No.: 09/779,114
Filed: February 8, 2001
Attorney Docket No.: 74622-040

LETTER

Dear Mr. Maurer:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

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JUN 20 2008

In re Application of
Shields, et al.
Application No.: 09/779,114
Filed: February 8, 2001
Attorney Docket No.: 74622-040

OFFICE OF PETITIONS
LETTER

Dear Mr. Cranor:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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